

MONO COUNTY GENERAL PLAN DRAFT EIR



SECTION 4.1

LAND USE AND PLANNING

4.1.1 INTRODUCTION AND SUMMARY

CGC §65300 requires each county to "adopt a comprehensive long-term general plan for the physical development of the county." The Mono County General Plan Land Use Element serves, along with other adopted General Plan elements, as a foundation for all land use decisions. The General Plan expresses the land use and development goals of the County as a whole, as well as the individual communities served by the County. All private subdivisions and public works projects must be consistent with the general plan; if inconsistent, the general plan must be amended.

The purpose of the general plan differs from the purpose of zoning: the general plan focuses on identifying general patterns of and goals for future development, whereas zoning regulates current development activities through specific standards such as allowed uses, lot size and setbacks. Zoning must be consistent with the general plan in terms of allowed uses, and must also further the goals and objectives of the general plan. Furthermore, the general plan and associated maps must be internally consistent such that each element is compatible with and does not conflict with other elements of the plan.

Mono County is unique among California cities and counties in that it has fully integrated its Zoning Code into the General Plan Land Use designations. Thus the Mono County General Plan *Land Use Element* contains not only policies and land use designations to guide land use decisions, but also land development regulations to regulate development activities. The Mono County General Plan policies are intended to guide land use decisions; the land use designations reflect the policy framework and the natural, cultural and social characteristics of the land; and the land development regulations govern the use of buildings, the size and layout and intensity of uses, parking requirements, allowed lot coverage, setbacks and other regulatory development standards. In concert, these policies, designations and regulations serve the County's overarching goal to "*Maintain and enhance the environmental and economic integrity of Mono County while providing for the land use needs of residents and visitors.*" They also serve the accompanying objective to "*Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural and recreational resources and that is consistent with the capacities of public facilities and services.*"

Mono County is also unique in the degree to which the Regional Planning Advisory Committees (RPACs) participate in and set the parameters for County planning activities. The main function of the RPACs is to assist in the development of area plans, community plans, and the overall General Plan. To this end, RPACs perform multiple roles: a) conduct community planning meetings; b) work with the County in development of community vision statements, policies and implementing ordinances; c) review General Plan policies and recommend updates for accuracy and applicability; d), assist planning staff in preparation of planning studies; e) provide input for the development of varied capital improvement and other plans; and f) serve as the main forum for discussion and resolution of local planning issues. All of the community-level planning activities addressed in this *Draft RTP/General Plan* update reflect substantial RPAC guidance, direction and support.

As noted in other sections, the *RTP/General Plan* process included an update to the county Master Environmental Assessment (MEA) in 2010. The MEA is integral to this EIR, providing information about existing physical, environmental and socioeconomic characteristics as well as summaries of applicable state, federal and local laws. To facilitate understanding of the impact analysis, each EIR section provides an overview of baseline conditions (drawing on the MEA and other relevant sources) while focusing on environmental effects of plan implementation with mitigating policies and alternatives to reduce or avoid potentially significant effects.

No NOP comments addressed topics pertaining to land use and planning issues. Key findings of the Land Use and Planning impact analysis and recommended mitigation measures are summarized in the table below:

SUMMARY OF GENERAL PLAN IMPACTS & POLICY MITIGATIONS FOR LAND USE & PLANNING

IMPACT LU 4.1(a):	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY
Pre-Mitigation Significance:	Less than Significant
Mitigating Policies:	See Table 4.1-9 in Appendix D
Residual Significance:	Less than Significant
IMPACT LU 4.1(b):	CONFLICT WITH AN APPLICABLE LAND USE PLAN
Pre-Mitigation Significance:	Less than Significant
Mitigating Policies:	See Table 4.1-9 in Appendix D
Residual Significance:	Less than Significant

4.1.2 KEY TERMS USED IN THIS SECTION

Provided below are definitions for a small number of terms used in this section. The *General Plan Land Use Element* provides an exhaustive list of terms and definitions under General Provisions, Chapter 2 (Definitions).

Permitted Use. The term "permitted use" refers to a typical land use that is allowed within a particular land use category, subject to requirements of that category. Permitted uses listed for each land use designation are *examples* of permitted uses within that designation; additional specific uses may be permitted if similar to the listed uses. A permitted use is considered to be consistent with the objectives of the General Plan. Permitted uses may also be subject to performance or other development standards in the county Land Development Regulations or applicable area or specific plans and either ministerial or discretionary approval.

Project Study Area: For the purposes of the *RTP/General Plan Update*, the countywide Planning Area is defined as all unincorporated lands in the Mono County boundary plus, for the RTP only, the Town of Mammoth Lakes.

Site Disturbance. The term "site disturbance" refers to the portion of a parcel that has been changed from its natural condition during the process of development, including but not limited to areas altered by structures, parking areas, roads and driveways, and graded areas. It does not include areas used for agricultural operations, nor does it include disturbed land that has been subsequently reclaimed or revegetated. "Site disturbance" includes the area considered as lot coverage (structures and impervious surfaces). Calculations for lot coverage and site disturbance are calculated using gross coverage/disturbance for parcels one acre or more in size; parcels under one acre in size are calculated using net coverage/disturbance.

Sphere of Influence (SOI): The probable physical boundary and service area of a city or special district, usually reflecting anticipated growth over a 20- to 25-year period. Spheres of Influence have been developed for the Town of Mammoth Lakes and for the 25 special districts in Mono County; the County itself does not have a designated SOI.

Subdivision. A subdivision is the division by any subdivider of any unit or units of improved or unimproved land (or part thereof) shown on the latest assessment roll.

4.1.3 OVERVIEW OF BASELINE LAND USE ISSUES, OPPORTUNITIES, CONSTRAINTS

4.1.3.1 Countywide Land Use Issues and Constraints

Both the 2001 and 2015 General Plan Land Use Elements describe the issues, opportunities and constraints that affect specific county planning areas and the county as a whole. Table 4.1-1 summarizes countywide issues, opportunities and constraints identified in the 2001 General Plan and in the proposed 2015 update. Key changes in the countywide issues between 2001 and 2015, as reflected in Table 4.1-1, include:

- *a substantial reduction in the rate of growth and new town development potential;*
- *reduced emphasis on skiing as a driver of growth;*
- *increased emphasis on water and roads as growth-limiting factors;*
- *an increased role of state and federal legislation in shaping growth;*
- *new opportunities for supporting health and welfare through land use policies; and*
- *increased emphasis on the integration of land use and transportation planning documents.*

TABLE 4.1-1: Countywide Issues, Opportunities and Constraints, 2001 and 2015

TOPIC	2001 COUNTYWIDE ISSUES/ OPPORTUNITIES AND CONSTRAINTS	2015 COUNTYWIDE ISSUES/ OPPORTUNITIES & CONSTRAINTS
INDIRECT GROWTH PRESSURES	Some areas (Antelope Valley, Chalfant and Long Valley) are experiencing increased development pressures from nearby cities.	Development pressures remain, but countywide growth rates are forecast to drop from 1.3% annual average growth (1980s & 1990s) to between 0.55%-0.8% with potential shifts in population of unincorporated areas.
SEPARATION OF JOBS AND HOUSING	The separation of jobs and housing requires many Mono County residents to commute jobs in adjoining cities.	No change, although there is increased accommodation of such patterns via transit, walkable main streets and other programs. ¹
SKI AREA DEVELOPMENT PRESSURES	Further development of ski resorts could exacerbate the separation of jobs and housing; public land ownership is an obstacle to growth.	Public land ownership will continue as an obstacle to growth but ski area development is no longer expected to exacerbate the separation of jobs and housing.
PUBLIC LAND OWNERSHIP CONSTRAINTS	Public ownership of 94% of county land constrains development, and agricultural uses constrain development of most remaining large landholdings.	No change.
LAFCO POLICIES	LAFCO policies discourage sprawl in favor of intensifying existing community uses.	No change.
MULTIPLE PUBLIC OWNERSHIP LAYERS	Land management responsibilities at federal, state, & local levels create fragmented planning.	No change.
NEW TOWN DEVELOPMENT POTENTIAL	Land use and topography combine to shape development patterns; some large private landholdings may eventually become 'new towns'	Land use and topography will continue to shape development patterns, but new town development is no longer foreseen as a General Plan issue.
INFRASTRUCTURE COST/AVAILABILITY & WATER QUALITY SHAPE DEVELOPMENT PATTERNS	High infrastructure costs shape development patterns in Mono County. Water supply, sewer, and access roads are notable limiting factors in some communities.	Infrastructure costs will continue to shape development, especially sewage treatment and water quality.
SCARCITY OF LAND FOR INDUSTRIAL USES	The County has a shortage of land available for industrial uses and waste disposal.	No change.
RPACs SEEK TO MAINTAIN RURAL CHARACTER	The RPACs favor retention of the existing rural character, with limits on growth & protection of scenic resources.	No change.
LIMITS POSED BY HAZARDS, NATURAL & CULTURAL RESOURCES	Natural & cultural resources and hazards have a critical effect on land use and development throughout the county.	No change.
ECONOMIC CONSIDERATIONS	Development must pay its own way and not overwhelm County services; local residents need	No change.

¹ The county also notes that 2010 Census data shows a decrease in the jobs/housing separation.

	more job opportunities to support economic growth and a diverse economy.	
LEGISLATIVE CONSTRAINTS		NEW: Increasing State/Fed GHG legislation, adapted to urban areas, poses challenge for rural areas
HEALTH AND WELFARE		NEW: The General Plan should identify the relationship between public health and built environments, and strive to promote public welfare through relevant land use, transportation & design policies.

4.1.3.2 Overview of Community Planning Efforts

The proposed General Plan update has been reviewed by Regional Planning Advisory Committees (RPACs) and community planning groups throughout the county, and their comments have been incorporated into the proposed draft document. These groups and committees also discussed future land use needs in each community area, obtained residents' opinions about the future of the county and planning related issues, and worked closely with planning staff to develop or update land use and circulation goals and policies for their area.

RPACS active in the Mono County General Plan update include the Antelope Valley RPAC, the Bridgeport Valley RPAC, the Mono Basin RPAC, the Long Valley RPAC, the Wheeler Crest Community Group, the Benton/Hammil Community Group, the Chalfant Valley RPAC, the Benton Hot Springs landowners, and representatives of the Town of Mammoth Lakes. Three of these RPACs (Antelope Valley, Mono Basin and June Lake) have adopted Area Plan documents to guide land use and development within their planning areas; and all RPACs have updated the planning concepts and guidelines used in the *Draft RTP/General Plan Update*. The remaining RPACs have developed planning guidelines and concepts that were used in the current RTP/General Plan Update process to develop and refine use designations within their planning areas. The land use designations contained in the proposed *RTP/General Plan Update* will apply to all unincorporated communities of Mono County and, for communities in which an area plan has been formally adopted, provisions of the adopted area plan shall also apply.

Table 4.1-2 below identifies the issues, opportunities and constraints that affect planning and land uses in the communities located throughout Mono County, again comparing the issues of 2015 with those identified in the 2001 General Plan update. As with Table 4.1-1 above, Table 4.1-2 underscores substantial continuity in issues and opportunities at the community level over the past 14 years, as well as changes that have occurred. In broad terms, most of the communities have over this period experienced **increased support** for activities designed to strengthen economic development, increase safety (primarily in terms of wildland fires and traffic), protect water supply and water quality, and preserve scenic resources and habitat values; and **reduced emphasis** on imposition of regulations, population and housing growth, and ski area development. The continuity of goals and values is reflected in the fact that land use designations are largely unchanged since 2001 for most Mono County area plans. The changes that are proposed generally parallel the issues and opportunities detailed in Table 4.1-2 and briefly summarized in Table 4.1-1.

TABLE 4.1-2: Issues, Opportunities & Constraints in Mono County Communities - 2001 and 2015	
2001 ISSUES	2015 ISSUES
ANTELOPE VALLEY	
Significant privately owned high-quality agricultural acreage here is subject to development pressure despite desire to maintain agriculture and protect scenic values.	No change.
Residents seek to preserve the rural character	No change.
BLM has identified lands for possible acquisition; residents are concerned about loss of privately owned acreage.	Deletes statement that residents seek a policy for 'no net loss of privately owned land.'
Potential exists to enhance resource-based recreational opportunities at Topaz Lake with new boat launching area & boating restrictions in critical bird habitat areas; Walker River Irrigation	No change.

District is leading joint effort for plan development.	
Much of the valley is in the Walker River floodplain and may contain wetlands.	No change.
The widespread use of septic systems may become a constraint to additional development in community areas.	No change.
Protection of water resources is a priority for residents.	No change.
Portions of the valley are subject to seismic hazards.	No change.
Preservation of deer migration habitat and corridors are priorities, particularly west of US 395.	Reference to US 395 was deleted.
	NEW: There is interest in developing a Main St. plan to enhance tourism in Walker.
	NEW: There is interest in further expanding recreational opportunities.
	NEW: There is interest in promoting Antelope Valley as a tourist destination.
	NEW: There is interest in facilitating home-based businesses.
	NEW: There is interest in minimizing regulations that may threaten the agricultural economy.
SONORA PASS	
Not addressed in the 2001 General Plan.	NEW: Maintain the successful integration of military and private uses with policies to limit & assure disclosure of impacts associated with military operations (note that this has been added since the 2001 update).
SWAUGER CREEK	
Development must be limited to preserve natural resources; residents are interested in strengthening wildland research & recreational values.	No change.
Open space, key views and viewsheds are valued natural & recreational resources; residents are trustees of these resources.	No change.
BRIDGEPORT VALLEY	
Residents seek to protect significant privately owned high-quality agricultural acreage here and associated wetlands; effects on surface water associated with grazing and irrigation must be addressed.	No change.
Residents seek to preserve the small-town character of Bridgeport	No change.
Recreational opportunities at Bridgeport Reservoir should be enhanced; wetlands should be protected, and boating restricted in some areas to protect critical bird habitats.	Boating restrictions are no longer recommended to protect critical bird habitats,
	NEW: There is an opportunity to develop and market recreation on public lands around Bridgeport.
There is interest in protecting groundwater resources in the Valley.	No change.
Public utilities must be expanded to accommodate local and recreational demands.	Need still exists but lack of funding and economy of scale acknowledged.
There is interest in optimizing reservoir levels, instream flows and water quality in Bridgeport Reservoir, East Walker River and its tributaries.	No change.
	NEW: Bridgeport has faced declining population and economic activity in recent years and trend will continue without economic development.
	NEW: Residents support a wayfinding system to highlight amenities outside downtown Bridgeport.
	NEW: Many Mono County services are now shared by

	offices in Bridgeport (the County seat) and Mammoth Lakes; historic values and infrastructure must be preserved.
	NEW: Fishing has declined due to reduced stocking and invasive species; efforts to preserve fishing must be combined with diversified recreational opportunities.
	NEW: Speeding along US 395 jeopardizes safety, compromises small-town character and limits economic activity; traffic-calming steps are needed and there is new emphasis on Main Street revitalization.
	NEW: Permitting costs and delays have reduced development opportunities.
	NEW: Fuel reduction is needed to minimize wildfire risk & enhance natural resources at the public/private land boundary.
MONO BASIN	
Community expansion, limited by lack of private land, may be facilitated through land exchanges or sales.	No change.
Residents seek development of affordable housing.	Emphasis is on workforce housing for community survival.
Mono City residents are concerned about expansion beyond existing boundaries and impacts on views, the deer herd, and traffic.	No change.
Though some improvements are under way, Lee Vining and Mono City share concerns about water supplies.	Deleted.
	NEW: Sentiments about growth are mixed: there is support for economic sustainability, but fears that rural character will be lost. The goal is to balance these priorities and focus on enhancements through redevelopment.
	NEW: Lee Vining residents are concerned about vacancies, unattractive land uses and poor design and support tighter design standards and green building practices.
	NEW: Residents support infrastructure services that are compatible with rural, natural & scenic values; sewer service (in Lee Vining) and water service (in Mono City) are key concerns.
	NEW: Most land in the basin is publicly owned; regulations and use limits are a concern but also welcomed.
	NEW: Agriculture & grazing, once common, are now scarce with loss of pastoral character; there is interest in reestablishing sheep grazing in a manner compatible with resource protection and management.
	NEW: Main St. and commercial investment & revitalization are supported to improve appearance and economic activity in Lee Vining.
	NEW: US 395 through Lee Vining creates challenges for creating a walkable, safe, economically strong downtown.
	NEW: The lack of jobs threatens community stability; residents support increased economic diversification.
	NEW: Residents support efforts to overcome prejudice, create equal opportunities & bridge cultural barriers; rising second-home ownership levels may jeopardize these goals.
	NEW: Residents support upland water management in the north to maintain ranches & meadows, streams & riparian habitats, and maximize flows into Mono Lake and water for

	Conway Ranch.
JUNE LAKE	
<p>The 2001 General Plan Land Use Element referred to the <i>June Lake 2010 Area Plan</i> for discussion of issues and opportunities. The 2010 plan has since been updated and incorporated into the Draft <i>2015 General Plan</i> with no significant changes in policy direction.</p>	The community's future growth will have social impacts on current and future residents.
	The community wants to minimize sprawl by allowing development in set areas ringed by open space and recreational use lands.
	Growth is inhibited by the surrounding environment, lack of privately owned land, and the desire to maintain its unique character. These conditions necessitate controlled expansion, infill and recycling of the built environment
	The economy has entered a transitional period: Summer uses now generate most community income, while ski area improvements are expected to bolster the winter economy.
	The large influx of tourists hinders accurate assessment of June Lake's population and addressing needs; the small resident population is below the level (1,500-2,000 residents) needed to create a self-supporting consumer economy. Most residents shop outside June Lake.
	Early land use practices allowed June Lake to develop with minimal capital improvements and environmental safeguards.
	June Lake Village has dense and diverse uses that are served by inadequate roads, limited parking, substandard development in the meadow area.
	Developable land is limited by natural constraints (steep canyon walls, sensitive ecology) & scarce supply of private land; limited access is also a limiting factor.
	Land trades involving USFS & private parties (the main tool for obtaining developable lands), take five years or longer, which limits the rate of development, inflates land costs, and restricts the supply of affordable housing.
	USFS and the June Mountain Ski Area negotiated a 90-acre land exchange in the Rodeo Grounds area. Development triggered by this exchange will influence the character of the entire community.
	Residents & visitors support permanent protection of meadow & wetland areas along SR 158 near Silver Lake and on the backshore of Gull Lake; protection of riparian habitat along Rush Creek between Silver and Grant lakes and below Grant Lake, as well as along lakeshores, is also preferred
	Planned development is concentrated in four areas: June Lake Village; Down Canyon; the largely undeveloped West Village/Rodeo Grounds, and Pine Cliff.
	According to the June Lake Public Utility District (JLPUD) the sole public water supply agency on the June Lake Loop, the current water supply will not meet demands at full buildout.
MAMMOTH LAKES VICINITY	
Preservation of visual resources (esp. in US 395 viewshed) is a key concern in order to maintain scenic highway designation values.	No change.
Additional lands are needed for industrial uses but must be	Deleted.

compatible with visual and environmental values.	
	NEW: There is an opportunity for the Town and County to work together on regional waste management issues, including landfill closure.
Water supply is insufficient to support growth per the Town's General Plan growth; efforts to increase water supply may impact resource values.	Water management activities may impact land resources and values in the unincorporated county. Groundwater from the Dry Creek watershed is no longer included in future supplies due to cost and other issues.
Private land is limited in the Mammoth area; LADWP, a major landowner, has no formal plans for its properties.	The reference to LADWP planning documents was deleted; the discussion is otherwise unchanged.
The comprehensive Mammoth Yosemite Airport Land Use Plan defines uses in the airport planning area at a level of detail higher than the county General Plan or USFS.	The Airport Land Use Plan is now due for an update.
The LAFCO-defined Sphere of Influence (SOI) for Mammoth is coterminous with the town boundary with two additional SOI areas that are subject to certain conditions and contain sensitive wildlife resources.	No change.
	NEW: The Mammoth Mountain base exchange has potential to impact unincorporated lands.
UPPER OWENS	
Landowners support continued agriculture and grazing management practices, share consensus that agriculture is compatible with recreational uses.	No change.
Some landowners believe that recreational values of the Upper Owens exceed values of ski area expansion between Mammoth and June and deserve consideration when development is proposed; most owners support a focus on short-term resort uses rather than community development and year-round occupancy; some owners believe that historic agricultural, recreational and aquaculture values take precedence over new uses; use of the river for fishing appears to be in decline.	The comparison of Upper Owens recreational values to ski area expansion was deleted, and the reference to aquaculture values was replaced by reference to seasonal recreation; also deleted was the statement that use of the river for fishing appears to be in decline. The discussion is otherwise unchanged.
The need for winter security has increased due to vandalism and potential for conflict between rural and urban uses. The area lacks winter access, and some areas lack phone and electrical access as well as fire protection and related services.	Security needs now reference trespassing and poaching as well as vandalism; limits now include cell phone reception (as well as plowed winter road access and electrical service as in the past).
Fluctuating flows from Mono Basin may impact Upper Owens fishery and riparian areas and may limit fish migration upstream of Crowley Lake; landowners believe that consistent flows are needed from East Portal to Crowley, and are concerned that resort visitors may impact water resources.	Aquatic habitat degradation is now mentioned as an impact of fluctuating flows. Resort visitor impacts on water resources have been deleted.
There are concerns for negative impacts on the Upper Owens associated with a) water transfers from the Upper Owens area, b) impacts of a fish hatchery at Big Springs, and c) impacts of future ski area development.	Causes of flow fluctuations are no longer discussed. New discussion addresses the impacts of fluctuations (impacts to fishery and riparian areas, reduced ability of fish to travel upstream, and aquatic habitat degradation) and the need to establish consistent flows to maximize fishery value of the Upper Owens River.
The Upper Owens provides sensitive habitat for mule deer, bald and golden eagles and many other species.	Sage grouse has been added as a species for which the Upper Owens provides sensitive habitat.
LONG VALLEY	
Residents desire to develop a self-sufficient community, no longer viewed as a bedroom community of Mammoth.	This issue has been deleted.
There is a need to provide residents with new and upgraded services	This issue has been deleted.

& commercial uses, with a community water service for Crowley Lake and Hilton Creek; some community services districts should be consolidated for increased cost effectiveness & efficiency; and community-oriented commercial and professional uses are needed.	
Employment growth (possibly light manufacturing) is needed to support added community & commercial services.	This issue has been deleted.
The community support further recreational development, with restricted boating areas to protect critical bird habitat, and additional neighborhood parks and trails.	This issue has been deleted.
Long Valley supports important wildlife habitat including mule deer migration corridors.	This issue has been deleted.
	NEW: There is interest in a regional trail network and identifying missing links between existing trails.
	NEW: Consensus is lacking as to the need for future workforce housing; if developed, such housing should be similar to existing homes in density and design.
	NEW: Residents are concerned about pedestrian safety and seek safety and walkable community improvements in all Long Valley areas except Aspen Springs.
	NEW: All community projects would benefit from added coordination between the RPAC and County Service Area 1
	NEW: Cost/benefit analysis & public outreach to ensure that community projects are warranted and needed.
	NEW: The community supports expansion of recycling programs.
	NEW: The community values its rural character and does not seek commercial development to become self-sufficient.
	NEW: Preservation of the scenic corridor, wildlife habitat and scenic values are of critical importance.
	NEW: Consolidation of water system/services.
	NEW: Compatible commercial businesses should be supported.
WHEELER CREST	
Preservation of aesthetic beauty and tranquillity are primary concerns; development should be focused on single-family residences.	No change.
The area contains vital deer wintering & migration habitat.	No change.
Impacts of development on deer and wildlife should be minimized, while maximizing defensible space for wildland fire protection.	No change.
	New: Concern regarding secondary emergency access
PARADISE	
There was no area plan for the Paradise community at the time of the 2001 General Plan Update.	NEW: Preservation of aesthetic beauty and tranquillity are primary concerns; development should be focused on single-family residences.
	NEW: The area contains vital deer wintering & migration habitat.
	NEW: Impacts of development on deer and wildlife should be minimized, while maximizing defensible space for wildland fire protection.
	NEW: Recreation access & management are community concerns.

	NEW: Residents seek an improved multi-modal transportation system that protects scenic, recreational and environmental values.
TRI-VALLEY	
Residential development is incompatible with and may compromise agricultural operations.	No change.
Agricultural uses in the Tri-Valley should be maintained.	No change.
The existing rural character is valued and may be compromised by further residential development.	No change.
Parts of the Tri-Valley area are subject to flooding.	No change.
Winter closure of SR 120 hinders access to and safety in the Tri-Valley area.	No change.
Limited turnout and passing lanes along US 6 create safety issues.	No change.
'Daytime headlights-on' should be required on US 6.	No change.
Access to County services is limited by the lack of public transportation in the Tri-Valley area.	No change.
Water supply and quality could be compromised by future growth; water tables are dropping.	No change.
Local schools are needed so that students need not be transported to out-of-county schools.	No change.
Access to surrounding public lands is a key element of the rural sense of community.	No change.
Residents support the intersection of US 6/SR 120 as the center of community services and commerce.	No change.
BENTON VALLEY	
One landowner owns most of the land here; Benton Hot Springs, the oldest town in Mono County, contains historic structures that the owner wishes to preserve.	No change.
The owner uses the valley for agriculture and wishes to retain this use as well as the ponds and springs that provide habitat for wildlife including migratory waterfowl.	No change.
Most of the valley is in the 100-year floodplain.	No change.
	NEW: The landowner seeks environmentally-compatible commercial development for economic sustainability to preserve the historic structures and habitat values.
OASIS	
Oasis includes privately owned lands in agriculture; the area is isolated from Mono County by the White Mountains; access is on SR 168 which connects Big Pine and Nevada.	No change.

4.1.3.3 Overview of Airport Land Use Issues, Opportunities and Constraints

Mono County operates two public airports: Bryant Field in Bridgeport, and the Lee Vining Airport. California counties are required to prepare a comprehensive Airport Land Use Plan (ALUP) that addresses each public airport and airport environs within that county. CGC §65302.3 requires that the General Plan be consistent with the ALUP and requires that the general plan be amended within 180 days to be consistent with any amendment to an ALUP. Where a local airport may be impacted by a General Plan Amendment, the airport planning area must be reviewed by the Airport Land Use Commission and a determination made as to the consistency with the ALUP. In 2002, the County completed master plans for both airports that detail history, specifications, layout and other facility details. Bryant Field, located just east of downtown Bridgeport, is a small general aviation facility on about 49 acres of land. The facility includes a weather station and aviation fuel supplies, and serves single- and twin-jet aircraft as well as occasional turboprops and

small turbine-powered business jets. Lee Vining Airport is located on 59 acres of land near the intersection of US 395/SR 120, just south of the Lee Vining community. Master Plan documents for both facilities are available online at <http://www.monocounty.ca.gov/facilities/page/airports>. Mono County is also served by a third air facility (Mammoth Yosemite Airport) that offers commercial air service into the Mammoth area from a number of locations. The Town of Mammoth Lakes is responsible for administration and planning for Mammoth-Yosemite Airport. The General Plan outlines the major issues, opportunities and constraints concerning land use and airport operations in the Lee Vining and Bridgeport airport planning areas, as briefly summarized below in Table 4.1-3.

**TABLE 4.1-3: Lee Vining Airport and Bryant Field Airport in Bridgeport
Issues, Opportunities and Constraints**

TOPIC	ISSUE
PUBLIC SAFETY	Airport operations inherently present risks to public welfare, particularly inside the airport 'Safety Zone' (runway, approach paths and primary traffic areas)
ISSUES ON APPROACH	Highest traffic volumes occur around the approach/departure paths, transitional surfaces and clear zones; these areas also have more noise and potential for problems.
CLEAR ZONE ISSUES	The 'Clear Zone' (at the end of the runway) is particularly subject to noise and safety factors affecting people and property in the airport environs.
NOISE LEVELS	Noise readings and analyses indicate that noise levels do not extend much beyond the airport property at either facility. At Bryant Field, the 55 dB CNEL contour (the maximum acceptable noise exposure level for residential uses) projects partially into a residential area east of the airport but exposure is intermittent and infrequent and therefore not significant; there are no residential areas around the Lee Vining airport.
EXISTING LAND USE CONFLICTS	Neither Bryant Field nor Lee Vining Airport is situated in a manner that poses conflicts with existing land uses; there are some structures in the clear zone at Bryant Field that the County is seeking to purchase.
FUTURE LAND USE CONFLICTS-LEE VINING	Potential for future land use conflicts is limited by the widespread public ownership of lands in the Lee Vining Airport planning area
FUTURE LAND USE CONFLICTS-BRIDGEPORT	Potential for future land use conflicts is limited by uses on the surrounding lands including agriculture, a reservoir, and wetlands; developed areas of Bridgeport are removed from the airport clear zone.

4.1.3.4 Overview of Mono County Local Agency Formation Commission (LAFCO)

LAFCOs have the responsibility to regulate (through approval, conditional approval or denial) the boundary changes proposed by other public agencies or individuals. Mono LAFCO reviews boundary proposals for consistency with LAFCO law and Mono LAFCO policies, procedures and guidelines. LAFCO also is responsible for the adoption of Spheres of Influence (SOI) for local governments. An SOI represents the physical boundary and service area that a local governmental agency is expected to serve over a 20-year period, and is used to determine which agencies are best able to provide services in the most efficient way to the people and property in that SOI area. Since 1994, LAFCOs have had authority to initiate proposals for the dissolution or consolidation of special districts, or the merging of an existing subsidiary district.

A new LAFCO requirement was created in the Local Government Reorganization Act of 2000, which requires LAFCO to conduct a service review of municipal services provided in Mono County as part of the "Sphere of Influence" update process; the review includes all agencies that provide services within Mono County. Finally, cities and districts are required to obtain LAFCO's approval prior to entering into contracts with private individuals or organizations to provide services outside the agency's boundaries. More detailed discussion of Mono County LAFCO is provided in EIR §4.13 (Public Services and Utilities).

4.1.3.5 Overview of Military Land Use Issues, Opportunities and Constraints

The Marine Corps operates a Mountain Warfare Training Center in Sonora Pass, just west-northwest of Bridgeport. The Center operates as a training site for Marines preparing to serve in mountainous regions, with an emphasis on cold weather, high altitudes, and the unique skills required for mountain warfare. California Government Code (CGC) §65302 requires that the General Plan *Land Use Element* consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing or designating land uses on lands adjacent to military facilities and military aviation routes and airspace.

The draft Mono County *Land Use Element* fulfills the requirements of CGC §65302 through a combination of countywide and community-level goals, policies and actions that provide for effective notification and communication and ensure that County planning efforts do not compromise military readiness, as outlined below in Table 4.1-4.

TABLE 4.1-4: Land Use Element Consideration of Growth Impacts on Military Readiness	
COUNTYWIDE GOALS AND POLICIES TO ADDRESS MILITARY READINESS	
Objective 1.K: Maintain compatibility and minimize conflict between Mono County's existing military installations and adjacent land uses.	
Policy 1.K.1: Notify the United States Armed Forces when development projects or substantial General Plan Amendments may affect operations of the Mountain Warfare Training Center.	
Action 1.K.1.a	Create a local notification process by which the branches of the United States Armed Forces will be notified whenever a development project or substantial General Plan Amendment occurs within 1,000 feet of a military installation, special-use airspace, or low-level flight path.
Action 1.K.1.b	Provide a public forum for representatives of the military to keep the public informed about their current and future operations.
Action 1.K.1.c	Monitor military encroachment issues and consider additional measures as necessary, including the approval of a Military Influence Area and related property disclosures.
Policy 1.K.2: Consider impacts of development projects on the Lincoln Military Housing complex in Coleville.	
Action 1.K.2.a	Create a local notification process by which the branches of the United States Armed Forces will be notified whenever a development project or substantial General Plan Amendment occurs within 1,000 feet of the Lincoln Military Housing complex.
Action 1.K.2.b	Consider the existing development, infrastructure, and environmental impacts of the Lincoln Military Housing complex when conducting long-term planning efforts in the Antelope Valley.
Action 1.K.2.c	Work with appropriate agencies to maintain current understanding of future development plans for Lincoln Military Housing complex so those plans might be considered a part of long-term planning efforts in the Antelope Valley.
Policy 1.K.3: Increase recognition of military operations within the county.	
Action 1.K.3.a	Consider requiring real estate disclosures of military presence and joint operations associated with the Marine Corps Mountain Warfare Training Center for affected private properties within the county.
Action 1.K.3.b	Develop informational materials that educate residents and prospective buyers about military operations and their presence in the area.
COMMUNITY-LEVEL GOALS ADDRESSING MILITARY READINESS IN SONORA JUNCTION	
GOAL 5: Provide for orderly growth in the Sonora Junction area in a manner that recognizes the established military, residential, and recreational uses, and reduces potential conflicts between those uses.	
Objective 5.A: Protect the established military uses in the Sonora Junction area from encroachment	
Policy 5.A.1: Follow state guidelines relating to the notification of military when development projects and/or substantive General Plan Amendments may affect base operations.	
Action 5.A.1.a	Create a local notification process by which the branches of the United States Armed Forces will be notified whenever a development project or substantial General Plan Amendment occurs within

	1,000 feet of a military installation, Special Use Airspace, or low-level flight path.
Action 5.A.1.b.	Amend permit review processes to include analysis of a project's proximity to military installations, special use airspace and low-level flight paths.
Action 5.A.1.c.	Reference the Marine Corps Mountain Warfare Training Center Encroachment Zone map in determining project proximity.

4.1.3.6 Overview of Land Use Designations

The County has assigned a land use designation for every parcel of land within the unincorporated areas of Mono County. The designations are depicted in the Land Use Maps contained in §VII of the *Draft Land Use Element*, and are also shown on the General Plan maps available online at (<http://www.monocounty.ca.gov/planning/page/general-plan>). The use designations are based on an area's suitability for certain land uses, community support and consideration of criteria such as:

- **Presence of Natural Hazards:** Does the area include natural hazards that limit development, such as flood zones, Alquist-Priolo zones, unstable soils or steep slopes, etc.?
- **Presence of Natural Resources:** Does the area include natural resources that limit development; e.g., wetlands, significant habitat, deer migration routes, etc.?
- **Existing Land Uses:** What are the existing uses in the area?
- **Infrastructure:** Is infrastructure available for development (i.e., sewer, water, roads, fire protection)?
- **Layout and Lot Sizes:** What is the existing land division pattern in the area and what are the lot sizes?
- **Open Space Values:** Does the area have open-space value (e.g., visuals, wildlife habitat, agricultural preservation, cultural resources)?
- **Community Vision:** What is the community vision for the future of the area?

The designations were used to calculate theoretical maximum dwelling unit counts (not including density bonuses), which were then converted into population estimates in this EIR. Because the analyses did not always reflect detailed study of the constraints of each specific parcel, future detailed evaluation of specific properties may show that an alternate use is warranted; in such instances, the County will consider amendments to the plan.

The County has direct planning authority over only a small percentage of the lands in the county, and must therefore work with other land managers to cooperatively manage the natural resources while at the same time providing for community needs. Although the Land Use Element assigns land use designations to all of the land within its planning area, the focus of the planning effort is on the privately owned unincorporated parcels (note that use designations for land owned by LADWP are established by Mono County, and have been primarily designated as 'open space' in recognition of their watershed function). The proposed land use designations are similar to federal land use designations and designations used by the Town of Mammoth Lakes. Some parcels have been assigned two or more land use designations ("split designations"). Currently, the Element states that these properties should be divided along the land use designation lines when feasible, and a land division may be required as a condition of a Director Review or Conditional Use Permit for development purposes; the proposed Land Use Element modifications would not require a land division, and the more precise mapping tools would allow parcels to have multiple land use designations because the new maps will show precisely where the different designations apply on the parcel. The County applies applicable land use designation regulations to the corresponding portion of a split-designation parcel, and enforces setbacks from the split-designation line. Table 4.1-5 summarizes the intent and key provisions of all designations that are used in the Mono County *General Plan Update*.

**TABLE 4.1-5: Land Use Designations in the Mono County
General Plan Land Use Element**

DESIGNATION	INTENT	KEY PROVISIONS		
		Minimum Parcel Size/ Minimum Lot Area	Lot Coverage	Density
Rural Residential (RR)	To permit larger-lot single-family dwelling units with ancillary rural uses in areas away from developed	5 acres	40%	1 du/lot +

	communities. Small-scale agriculture, including limited commercial agricultural, is permitted.			accessory du
Estate Residential (ER)	To permit large-lot, single-family dwellings with ancillary rural uses in areas adjacent to developed communities. Small-scale agriculture is permitted.	1 acre	40%	1 du/lot + accessory bldg.
Rural Mobile Home (RMH)	To provide for development in rural areas within the county consistent with developed lifestyles when mixed uses are determined to be acceptable to the citizens of the RMH area. The RMH district is further intended to provide for mixed uses such as single-family residences, mobile homes used as residences, small-scale agriculture and the keeping of fowl and animals for personal use.	1 acre	40%	1 du/lot + accessory bldg.
Single-family Residential (SFR)	To provide for the development of single-family dwelling units in community areas.	7,500 sf	40%	1 du/lot + accessory bldg.
Multifamily Residential-Low (MFR-L), Moderate (MFR-M), High (<FR-H)	<ul style="list-style-type: none"> The "MFR-L" designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes. The "MFR-M" designation is intended to encourage long-term multifamily housing by allowing for higher population densities and not allowing commercial lodging facilities (hotels, motels). The "MFR-H" designation is intended to encourage multifamily units by allowing for higher population densities and commercial lodging; i.e., hotels, motels. 	7,500 sf	40%	11.6du/ac
		10,000 sf	60%	16 du/ac
		7,500 sf	60%	16 du/ac.
Mixed Use (MU)	<p>To provide for a wide range of compatible resident- and visitor-oriented residential and commercial uses, including business, professional, and retail uses; to provide for efficient use of land and increased opportunities for affordable housing; to provide a transition between intensive commercial uses and residential uses; and to be applied to areas with existing mixed-use development.</p> <p>MU transitional areas can limit the size of businesses and restrict uses incompatible with residential district. Not all areas need contain residential uses. Commercial uses shall conform to strict standards that prohibit obnoxious odors, obtrusive light and glare, and excessive noise.</p>	<ul style="list-style-type: none"> Hotels, resort hotels, motels, rental cabins: 20,000 sf Condos, coops, town-houses, cluster devts., similar uses (excl. apartments): 20,000 sf All other uses – 10,000 sf 	60%; an added 10% bonus (total 70%) shall be granted to ** structures with mixed commercial & residential use; * commercial uses with public accommodation; uses that front a public pedestrian mall/plaza.	Hotels, motels, etc.: 40 du/ac Apartments, condos, etc.: 15 du/ac
Commercial Lodging-Moderate (CL-M) and High (CL-H)	To provide commercial lodging units for short-term occupancy in or near residential areas.	<ul style="list-style-type: none"> Hotels, resort hotels, motels, rental cabins: 20,000 sf Condos, co-ops, townhomes, cluster devts. & similar (excl. aptmnts): 20,000 sf All other uses – 10,000 sf 	60%	All uses: 15 du/ac
Rural Resort (RU)	To provide appropriate sites for outdoor recreation facilities and limited visitor-oriented facilities and services in rural areas of the county. The district is intended to protect the environment and rural character of an area while allowing for compatible development.	5 acres	5% (maximum disturbance area is 10%)	1 du/5 ac. + accessory bldg.
Commercial (C)	To provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas, including commercial lodging and higher-density housing, when found compatible with retail and service	10,000 sf	60% when principal use is a residential use; 70% for all other	Residential Uses: 15 du/ac Hotels/Motels;

	functions. Creation of a pleasant, efficient environment for shopping & business is an important function.		uses	40 units/ac
Service Commercial (SC)	To provide for a wide variety of wholesale, retail and service uses not normally compatible with uses permitted in other commercial districts; e.g., enclosed non-polluting light manufacturing, limited outdoor storage.	10,000 sf	70%	1 du/lot + accessory bldg.
Industrial Park (IP)	To provide for a combination of light- and moderate-intensity industrial uses that do not create environmental nuisances or hazards to a degree that might be obnoxious or offensive to persons conducting business in this or adjacent areas.	10,000 sf	80%	Residential uses not permitted
Industrial (I)	To provide for heavy industrial uses that may potentially cause moderate to higher degrees of environmental nuisances or hazards.	10,000 sf	80%	Residential uses not permitted
Public & Quasi-Public Facilities (PF)	To provide for a variety of public and quasi-public facilities and uses.	None	None	Cmty Devt. Dir. review on case-by-case basis.
Resource Management (RM)	To recognize & maintain a wide variety of values outside existing communities. The RM designation indicates the land may be valuable for uses including but not limited to recreation, surface water conservation, groundwater conservation & recharge, wetlands conservation, habitat protection for special-status species, wildlife habitat, visual resources, cultural resources, geothermal or mineral resources. The land may also need special management consideration due to the presence of natural hazards; e.g., avalanches, earthquake faults, flood hazards, or landslide or rockfall hazards.	40 acres or 1/4 of 1/4 section	5% (maximum disturbance area is 10%)	1 du/lot + accessory bldg.
Agriculture (AG)	To preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture.	2.5 acres (but varies by area)	40%	1 du/lot + accessory bldg.
Scenic Area Agriculture (SAA)	1) To recognize existing & historic uses as certified by USFS in its Private Land Certification Process and, within constraints of the Mono Basin National Forest Scenic Area Plan, to allow further limited-scale development and new uses consistent with purposes of the Scenic Area. Emphasis is on new uses that would provide recreational, interpretive, visitor & research services & opportunities while maintaining a natural and rural-appearing landscape; 2) To preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture, consistent with the Mono Basin National Forest Scenic Area.	10,000 sf (2 ac. minimum District Area)	70%	1 du/lot + accessory bldg.
Open Space (OS)	To protect and retain open space for future generations. These lands may be valuable for resource preservation (e.g., visual open space, botanical habitat, stream environment zones, etc.), low-intensity recreational uses, mineral resources, or other reasons.	None	10%	1 du/80 acres + accessory dwelling unit
Natural Habitat Protection (NHP)	To protect sensitive environmental habitats by minimizing site disturbance and development. Private lands placed in this district contain valuable wildlife habitat, scenic resources, and/or areas subject to natural hazards. Lands contained in this district are high priorities for land exchanges into public holding or purchases by	2 ac. (5 ac. minimum District Area)	5% (maximum 10% site disturbance)	1 du/lot + accessory bldg.

	land conservation organizations.			
Resource Extraction (RE)	To provide for protection of the environment & resource extraction activities in a manner consistent with the county General Plan and applicable state & federal laws. The designation is also intended to provide for processing plants utilizing on-site materials or materials found in close proximity to the site. The RE Designation is intended to be applied only in areas with existing or proposed and permitted resource development activities.	40 acres or 1/4 of 1/4 section	None	Residential uses not permitted
Specific Plan (SP)	To provide for planned development in areas outside existing communities, or on large parcels of land in or adjacent to existing communities. The SP designation may also be applied to provide direction for potentially conflicting or incompatible land uses. The designation may also be used to "plan for future land uses in the vicinity of, and access routes serving" surface mining.	To be determined by the Specific Plan.	To be determined by the Specific Plan.	To be determined by the Specific Plan.

4.1.4 REGULATORY SETTING

4.1.4.1 Federal Regulations

Federal Land Policy and Management Act (FLPMA).² FLPMA was enacted in 1976 to establish a unified approach to the management and preservation of public lands that have not been set aside for national forests and parks, wildlife preservation areas, military bases or other federal purposes. The guiding principle of FLPMA is to protect the quality of resources on such lands. The BLM administers the FLPMA and is responsible for the management of roughly 261 million acres of public land in the US (about 12% of total land area). The FLPMA requires BLM to establish a management planning process that accommodates multiple uses and achieves sustained yields of natural resources. The BLM responsibilities include periodic inventory of all public lands and resources thereon. The FLPMA sets a goal of preserving and protecting public lands in their natural condition to the extent possible, and retaining federal ownership of public lands unless it is in the national interest to dispose of them. Uses of lands managed by BLM include commerce (livestock grazing, mineral extraction, logging), recreation (fishing, hunting, birding, boating, hiking, biking, off-roading), and conservation (biological, historical, cultural resources). Some lands are withdrawn from these public functions to serve a particular use; such withdrawals are temporary unless made permanent through congressional action. The planning priorities of BLM include: a) implement principles of multiple use of public lands and sustained yields of resources; b) use a systematic, interdisciplinary approach; c) give priority to areas of critical environmental concern; d) consider the present and potential uses of public lands; e) consider the relative scarcity of the various values of public lands; f) weigh long-term and short-term public benefits; g) comply with applicable pollution control laws; and h) coordinate land-use planning with other federal and state agencies also involved.

USDA Forest Service, Inyo National Forest Assessment.³ The Inyo National Forest Assessment fulfills a key step in the process for revision of the Inyo National Forest's Land and Resource Management Plan. It provides updated information about relevant ecological, economic, and social conditions, trends, and sustainability and their relationship to the current land resource management plan within the context of the broader landscape. Land and resource management plans establish requirements and constraints for management decisions in a national forest or grassland. The update process, current under way, will proceed from the forest assessment to a revision of the *Land and Resource Management Plan*, followed by monitoring. The process takes an integrated and holistic approach that balances ecological processes with social and economic systems based on best available science, and emphasizes collaboration with stakeholders and transparency of process. The Assessment notes that declining budgets and increasing public demand have created greater need for collaboration between the Inyo NF and its many partners, including Mono County. Partners support the Inyo NF by offering interpretive programs, opportunities for volunteer work and citizen stewardship, and special events to connect people with nature.

² University of Colorado, Boulder website: <http://www.colorado.edu/AmStudies/lewis/west/flpma.htm>, accessed 3-25-15.

³ USDA Forest Service, draft *Inyo National Forest Assessment*, November 2013.

USDA Forest Service, Toiyabe Land & Resource Management Plan of 1986. The Forest Plan guides natural resource management activities and establishes management standards and guidelines for the Humboldt National Forest including resource management practices, levels of resource production and management, and the availability and suitability of lands for resource management. The Forest Plan complies with provisions of the National Forest Management Act (NFMA) as well as other guiding regulations and documents. Forest Plan prescriptions, standards and guidelines reflect management direction but subject to annual budgeting in terms of services, outputs, projects and rates of implementation. The USFS notes that work on the Forest Plan revision for the Humboldt-Toiyabe National Forest was suspended in May 2009 so that resources and personnel could be devoted to travel management, environmental analysis of grazing, fire and fuels management, and implementation of the American Recovery and Reinvestment Act. A public announcement will be issued when the Forest Plan revision is reinitiated.⁴

4.1.4.2 State Regulations

California Government Code (CGC). CGC §65300 requires cities and counties to prepare and adopt a “comprehensive, long-range general plan” to guide development. To achieve this long-range development mandate, the General Plan process requires a complex set of analyses, comprehensive public outreach and input, and public policy to guide a vast range of topic areas. State law identifies seven required General Plan elements including Land Use, Circulation, Housing, Conservation, Open Space, Noise and Safety. Additional elements may be provided at the discretion of the local agency. State law also specifies the content of general plans. A general plan must contain development policies, diagrams, and text that describe objectives, principles, standards, and plan proposals. This EIR is addressed to a comprehensive update of the *Mono County General Plan* that conforms with all applicable requirements of CGC §65300.

California Airport Land Use Planning Handbook. The State Aeronautics Act sets forth requirements for airport land use compatibility planning. The 2011 California Airport Land Use Planning Handbook (Caltrans 2011) provides guidance for determining consistency between a general plan and an Airport Land Use Commission’s (ALUC’s) Compatibility Plan. General Plan amendments must be consistent with any applicable Airport Land Use Plan unless a local government governing body overrules the plan by a 2/3 vote and makes certain findings (CGC §65302.3(a)). Prior to amending a General Plan, a local agency must refer the proposed amendment to the ALUC.

California Department of Parks and Recreation. The mission of the California Department of Parks and Recreation is to provide for the health, inspiration and education of California people by helping to preserve biological diversity, to protect natural and cultural resources, and to create opportunities for high-quality outdoor recreation. The park system includes two state parks in Mono County: Bodie State Historic Park (a genuine gold-mining ghost town that once had a population of nearly 10,000 residents and is today preserved in a state of ‘arrested decay’), and Mono Lake Tufa State Natural Reserve (established to preserve the ‘tufa towers’ as well as the 65-square mile surface of Mono Lake, and wetlands and other habitat for the 1-2 million birds that annually feed and rest at Mono Lake).

Military Land Use Compatibility Planning Requirements. Pursuant to SB 1468 (2002), CGC §65302 requires local governments to consider impacts to military operations in the General Plan. CGC §65302 stipulates a notification process, and also requires that the General Plan Land Use Element consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing or designating land uses on lands adjacent to military facilities and military aviation routes and airspace. The requirements of CGC §65302 are valid statewide. Other elements of the General Plan must also consider military compatibility. For example, the Circulation Element must include any military airports and ports, and be correlated with the Land Use Element of the General Plan. (CGC §65302(b)(1)). The Conservation/Open Space Element must consider the effect of development within the jurisdiction, as described in the Land Use Element, on natural resources located on public lands, including military installations. (CGC §65302(d)(1)). The Noise Element must analyze and quantify, to the extent practicable, current and projected noise levels for ground stationary noise sources, including

⁴ Forest Service website: http://www.fs.usda.gov/detail/htnfl/landmanagement/planning/?cid=fsmg_026859, accessed 3-25-15.

military installations identified by local agencies as contributing to the community noise environment. (CGC §65302(f)(1)(F)).

Natural Communities Conservation Plan. The Natural Communities Conservation Plan (NCCP) program, which began in 1991 under the state's Natural Community Conservation Planning Act, is a broad-based ecosystem approach that identifies and provides for the regional or area-wide protection of plants, animals, and their habitats, while allowing compatible land use and economic activity. At this time, there are no adopted Habitat Conservation Plans (HCP), Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans in the Mono County RTP/General Plan update study area. Moreover, approval of the proposed RTP/General Plan update would not constitute approval of or entitlement for any development or infrastructure projects.

However, the USFWS and LADWP have entered into a formal process to address threatened and endangered species and their habitat on all city-owned lands throughout the Owens River Valley (310,000 acres in whole), portions of which enter the Mono County RTP/General Plan Update study area. The draft HCP proposes to cover seven species including four federally endangered species (Owens pupfish, Owens tui chub, Least Bell's Vireo, and Southwestern Willow Flycatcher) as well as the Bi-State sage grouse population. Since all of the target species use riparian habitat, the HCP project area will focus on riparian systems including rivers, tributaries and wetlands that occur on LADWP-owned lands extending from the Upper Owens River south to Owens Dry Lake. The effort has received over \$182,000 through a USFWS Cooperative Endangered Species Conservation Fund-Habitat Conservation Planning Assistance Grant (FY 2013).⁵ CDFW also administers a Local Assistance Grants program and works in concert with the Wildlife Conservation Board (WCB) to acquire high-value habitat lands.

State Lands Commission. The State Lands Commission manages 4 million acres of California tidelands and submerged lands and the beds of navigable rivers, streams, lakes, bays, estuaries, inlets and straits (collectively referred to as 'sovereign or public trust lands'). The Commission also monitors sovereign lands granted in trust to roughly 75 local jurisdictions, administers the mineral rights on lands under the jurisdiction of other agencies, and manages lands granted by Congress to support California public schools. The Commission works to protect and enhance these lands and natural resources by issuing leases for use or development, resolving boundaries between public and private lands, promoting public access, and implementing regulatory programs to shield state waters from oil spills and invasive species introductions. Through its actions, the Commission secures and safeguards the public's access rights to waterways and the coastline and preserves irreplaceable natural habitats for wildlife, vegetation, and biological communities.

Williamson Act. The California Land Conservation Act of 1965, also known as the Williamson Act, enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or open-space use while promoting growth patterns consistent with local planning priorities. In return, landowners receive property tax assessments that are much lower than normal because the assessments are based on farming and open-space uses as opposed to full market value. The minimum contract term is 10 years; contracts automatically renew on the anniversary date unless the landowner or local government initiates non-renewal procedures. There were approximately 12,500 acres of land in Williamson Act contracts in Mono County as of 2008.

4.1.4.3 Regional and Local Regulations

Mono County Zoning Ordinance. As noted in the introduction to this section, Mono County in 2000 integrated its Zoning Code into the General Plan Land Use designations. To this end, the Mono County General Plan Land Use Element contains not only policies and land use designations, but also land development regulations. The land development regulations govern the use of buildings, signage, size and layout and intensity of uses, parking requirements, allowed lot coverage, setbacks and other similar standards. In concert, the policies, designations and regulations serve the General Plan goal to "maintain and enhance the environmental and economic integrity of Mono County while providing for the land use needs of residents and visitors." They also serve the accompanying objective

⁵ U.S. Fish and Wildlife Service, FY 2013 Cooperative Endangered Species Conservation Fund, Project Descriptions Arranged by State, <http://www.fws.gov/endangered/esa-library/pdf/FY%2014%20CESCF%20RFP%20Grant%20Announcement%20Standard%20Format.FINAL.pdf>.

to “accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural and recreational resources and that is consistent with the capacities of public facilities and services.”

Local Agency Formation Commission (LAFCO). The responsibilities and authority of LAFCO are based on four key objectives that include a) encouraging the orderly formation of local agencies, b) preservation of open space and agriculture, c) discouraging urban sprawl, and (d) encouraging the efficient delivery of services to customers. In this context, LAFCOs have authority to regulate boundary changes proposed by public agencies, based on LAFCO law and the policies, procedures and guidelines of the local planning authority (in this case, Mono County and the Town of Mammoth Lakes). LAFCO also is responsible for adopting the ‘Sphere of Influence,’ which represents the physical boundary and service area that a local agency is expected to serve over a 20-year period. As part of the SOI adoption process, LAFCO prepares Municipal Service Reviews (MSRs) (discussed in EIR §4.13) to ensure that services can be provided efficiently and economically. LAFCO has authority to initiate proposals for the dissolution, merger, or consolidation of special districts where MSR findings indicate that customers would benefit from such actions. Agencies must obtain LAFCO approval to enter into service contracts to provide services to areas located outside the approved boundary.

Town of Mammoth Lakes General Plan. The Town of Mammoth Lakes updated its General Plan in 2007. The Plan includes a vision statement that focuses on environmental sustainability, development of a diverse and strong economy, adequate housing, top-level resort amenities, limited growth, high design standards and varied transportation options. The General Plan offers community goals for each element, as summarized in Table 4.1-6.

TABLE 4.1-6: Town of Mammoth Lakes General Plan Goals

GP ELEMENT	GOAL #	GOAL DESCRIPTION
Economy	E-1	Be a premier destination community to achieve a sustainable year-round economy.
	E-2	Achieve sustainable tourism by building on area’s natural beauty, recreational, cultural & historic assets.
Arts, Culture, Heritage and Natural History	E-3	Achieve a more-diversified economy & employment base consistent with community character.
	A-1	Be stewards of Mammoth’s unique natural environment.
	A-2	Be a vibrant cultural center by weaving arts and local heritage and the area’s unique natural history into everyday life.
Community Design	A-3	Encourage public art and cultural expression throughout the community.
	C-1	Improve and enhance the community’s unique character by requiring a high standard of design in all development in Mammoth Lakes.
	C-2	Design the man-made environment to complement, not dominate, the natural environment.
	C-3	Ensure safe and attractive public spaces, including sidewalks, trails, parks & streets.
	C-4	Be stewards of natural and scenic resources essential to community image and character.
	C-5	Eliminate glare to improve public safety. Minimize light pollution to preserve views of stars & night sky.
Neighborhood/District Character-Land Use	C-6	Enhance community character by minimizing noise.
	L-1	Be stewards of the community small-town character & charm, compact form, spectacular natural surroundings and access to public lands by planning for and managing growth.
	L-2	Substantially increase housing supply available to the workforce.
	L-3	Enhance livability by designing neighborhoods and districts for walking through the arrangement of land uses and development intensities.
	L-4	Be the symbolic and physical heart of the Eastern Sierra: the regional economic, administrative, commercial, recreational, educational and cultural center.
	L-5	Provide an overall balance of uses, facilities and services to further the town’s role as a destination resort community.
Mobility	L-6	Maintain the Urban Growth Boundary to ensure a compact urban form; protect natural and outdoor recreational resources; prevent sprawl.
	M-1	Develop and implement a town-wide way-finding system.
	M-2	Improve regional transportation system.
	M-3	Emphasize feet first, public transportation second, and car last in planning the community transportation system while still meeting Level of Service standards.

Parks, Open Space and Recreation	M-4	Encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive.
	M-5	Provide a year-round local public transit system that is convenient and efficient.
	M-6	Encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy.
	M-7	Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet-first initiative.
	M-8	Enhance small-town community character through transportation system design.
	M-9	Improve snow and ice management.
	P-1	Maintain parks & open space in and adjacent to town for outdoor recreation & contemplation.
	P-2	Provide additional parks within town.
	P-3	Create a Master Plan for an integrated trail system that will maintain and enhance convenient public access to public lands from town.
	P-4	Provide and encourage a wide variety of outdoor and indoor recreation readily accessible to residents and visitors of all ages.
Resource Management and Conservation	P-5	Link parks and open space with a well-designed year-round network of public corridors and trails within and surrounding Mammoth Lakes.
	R-1	Be stewards of habitat, wildlife, fisheries, forests and vegetation resources of significant biological, ecological, aesthetic and recreational value.
	R-2	Maintain a healthy regional natural ecosystem and provide stewardship for wetlands, wet meadows and riparian areas from development-related impacts.
	R-3	Preserve & enhance the exceptional natural, scenic, recreational value of Mammoth Creek.
	R-4	Conserve and enhance the quality and quantity of Mammoth Lakes' water resources.
	R-5	Minimize erosion and sedimentation.
	R-6	Optimize efficient use of energy.
	R-7	Be a leader in use of green building technology.
	R-8	Increase use of renewable energy resources; encourage conservation of existing energy sources.
	R-9	Reduce volume of solid waste.
Public Health and Safety	R-10	Protect health of community residents by assuring that the town of Mammoth Lakes remains in compliance with or improves compliance with air quality standards.
	R-11	Reduce greenhouse gas emissions.
	S-1	Support high-quality health care and child care for Mammoth Lakes' residents and visitors.
	S-2	Keep Mammoth Lakes a safe place to live, work and play.
	S-3	Minimize loss of life, injury, property damage & natural resource destruction from all public safety hazards.
	S-4	Maintain adequate emergency response capabilities.
	S-5	Support high-quality educational services & life-long learning resources in the community.
	S-6	Enhance quality of life by encouraging & supporting high quality facilities & services.

4.1.5 THRESHOLDS OF SIGNIFICANCE⁶

Consistent with Appendix G of the CEQA Guidelines, the proposed RTP/General Plan update project will be considered to have a significant impact on land use and planning if it will:

- a) **Physically divide an established community**
- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect**

⁶ EIR §4.4 (Biology) discusses project potential to conflict with applicable habitat conservation plans or natural community conservation plan.

4.1.6 ENVIRONMENTAL IMPACTS AND MITIGATING POLICIES

IMPACT 4.1(a): Would implementation of the proposed RTP/General Plan Update physically divide an established community?

LESS THAN SIGNIFICANT IMPACT: The lands in Mono County are characterized by a many features and characteristics that serve to physically divide established communities. US 395 is a key physical barrier for many communities (particularly Bridgeport and Lee Vining), and although the highway is not under their direct control, these communities have developed specific design guidelines (discussed more thoroughly in EIR §4.2, Transportation) that serve to strengthen retail opportunities and increase connectivity, mobility, pedestrian comfort and other values consistent with the Complete Streets policies and walkable communities concepts while limiting highway speeds and optimizing parking. Many Mono County communities experience seasonal land use barriers in the form of restricted access due to snow or avalanche, or restrictions imposed by state, federal and local agencies that manage public resources. Topographic and physical barriers also divide Mono County communities, including barriers created by lakes and streams, hillsides and other features, as do regulations that limit land uses and/or access in order to protect sensitive natural resources (such as deer migration and sage grouse leks).

The importance placed on land use compatibility and cohesiveness is evident in the Mono County Vision Statement: *The environmental and economic integrity of Mono County shall be maintained and enhanced through orderly growth, minimizing land use conflicts, supporting local tourist and agricultural based economies, and protecting the scenic, recreational, cultural, and natural resources of the area. The small-town atmosphere, rural-residential character and associated quality of life will be sustained consistent with community plans. Mono County will collaborate with applicable federal, state and local entities in pursuing this vision through citizen-based planning and efficient, coordinated permit processing.* This vision is supported by the individual area plans, and by a strong community-based planning process.

As noted in the background discussion, the proposed General Plan Land Use Element update has been extensively reviewed, over a period of several years, by Regional Planning Advisory Committees and landowners throughout Mono County. The proposed land uses are a direct outgrowth of that process, and a reflection of the consensus goals of residents in each of the community areas within the Mono County boundary. Table 4.1-7 below summarizes total acreage by land use designation as shown in the existing 2001 Land Use Element, and as proposed in the current *RTP/General Plan Update*.

Although Table 4.1-7 points to substantial changes in acreage for a number of designations, these changes are largely the result of the more precise mapping utilized in this 2015 *General Plan Update*. Occasions on which land use designations were formally modified to reflect a change in intended use are limited to the following:

- **Conway Ranch:** Repeal of the Conway Ranch Specific Plan, as proposed with the current *Draft General Plan Update*, would re-designate approximately 855 acres of land currently designated as Specific Plan (as shown in the 2001 General Plan) to Open Space; an additional three acres of land currently developed with single-family homes would be re-designated from Specific Plan to Single-Family Residential.
- **General Plan Amendments:** General Plan Amendments, typically associated with small development projects and approved since the overall 2001 *General Plan Update*, account for all of the additional formal re-designations of land that reflect a change in the intended use.

The remaining acreage modifications result from the improved GIS mapping and analysis tools. The most significant improvement in analysis was the ability to easily remove publicly owned lands from the private land analysis. For example, parcels dedicated to publicly owned water infrastructure within a residential neighborhood are often given the same residential designation as the surrounding neighborhood and previously would have been analyzed as land with additional residential growth potential. When publicly owned, this type of parcel was removed from the private land analysis.

A second significant improvement is in the GIS ability to accurately map the area of each parcel rather than relying on hand measurements (rulers on a paper map) or recorded acreages. The increased measurement accuracy typically resulted in a reduction in total acreages, particularly on larger parcels that have not been formally surveyed. For example, a parcel designated as Agriculture previously shown with exactly 40 acres of recorded acreage may in fact comprise 38 acres when measured with the accuracy of GIS.

A third significant change is the discontinuation of the practice of giving public lands, typically USFS and BLM adjacent to community areas (in an attempt to encourage land trades) designations of Specific Plan, Public Facilities or even Resource Extraction. Additionally, possessory (i.e., taxable) interests on USFS lands were often designated according to the possessory use rather than the underlying parcel designation: as an example, summer home tracts were often designated as Single-family Residential despite the underlying parcel having a Resource Management designation. While these designations have not changed, they are no longer included in the private lands analysis.

Finally, while not affecting the total acreages of each land use designation countywide, some changes in the planning area boundaries, for example the merger and expansion of the "South" and "North" Mono Basin planning areas to encompass the entire basin, have resulted in major changes to land use designation totals when analyzed at an area plan scale.

Thus, direct land use designation changes from the 2001 General Plan are minimal, and the details are explained in the extensive footnotes to Table 4.1-7. The reader is encouraged to review the Table 4.1-7 footnotes provided below.

TABLE 4.1-7: Land Use Designations Countywide, 2001 Land Use Element and Proposed Land Use Element						
LAND USE DESIGNATION	2001 LUE		PROPOSED 2015 LUE		% Change in Acres, 2001-2015	% Change in Units, 2001-2015
	TOTAL AC	MAX DU ALLOWED	TOTAL ACRES	MAX UNITS ALLOWED		
AG - Agriculture	79,156	7,124	77,177	9,275 ⁷	-2.5%	+30.2%
C - Commercial	173	2,595	157	1,762	-9.2%	-32.1%
CL - Commercial Lodging	41	615	44	502	+7.3%	-18.4%
ER - Estate Residential	4,426	1,798	4,454	1,453	+0.6%	-19.2%
I - Industrial	94	--	81	44 ⁸	-13.8%	NA (see fn 9)
IP - Industrial Park	41	--	22	7 (see fn 11)	-46.3%	NA (see fn 9)
MFR - Multifamily Residential	58	760	50	547	-13.7%	-28.0%
MU - Mixed Use	380	5,700	302	3,403 ⁹	-20.5%	-40.3%
NHP - Natural Habitat Protection	31	6	40	8	+29.0%	+33.3%
PF - Public Facilities	555	--	6 ¹⁰	7	-98.9% (see fn 11)	NA
RE - Resource Extraction	556	--	139	2 ¹¹	-75.0%	NA (see fn 12)
RM - Resource Management	29,810	745	31,469	736	+5.6%	-1.2%
RMH - Rural Mobile Home ¹²	508	417	442	384	-13.0%	-7.9%
RR - Rural Residential	4,201	1,076	4,021	992	-4.3%	
RU - Rural Resort	573	--	344	70 ¹³	-40.0%	NA (see fn 15)
SAA - Scenic Agriculture	4	4	3	10	-25%	+150%

⁷ The increase results from detailed GIS-/polygon-based analysis of land suitability and parcel characteristics conducted for this update.

⁸ The 2015 assessment reflects existing permitted uses that allow caretaker units on some industrial sites (including Sierra Business Park, where one caretaker unit is permitted for each lot). The potential for caretaker units was not accounted for in the 2001 assessment.

⁹ The 2001 LUE mischaracterized substantial acreage as MU; that acreage has now been reallocated to the appropriate use designations.

¹⁰ With improved GIS technology, substantial acreage shown in the 2001 Land Use Element as 'private land' has now been accurately characterized as 'public land' (e.g. schools, fire districts, county yards.), a small amount of private land remains, serving public functions (churches & cemeteries).

¹¹ Due to improved GIS technology, 417 acres shown in 2001 LUE as 'resource extraction' are now accurately characterized as 'public land'; remaining 139 acres now verified as private land designated for resource extraction.

¹² The 2001 RMH designation included acreage for lands designated as MHS (Manufactured Housing Subdivision).

¹³ The 2001 RU use designation shows no residential potential due to lack of subdivision potential & known development plans; however, the 2015 analysis assumes build-out potential for up to 1 unit per 5 acres.

SC–Service Commercial	12	--	8	32 (see fn 15)	-33.3%	NA (see fn 15)
SFR –Single-Family Residential	1,027	3,981	899	2,732	-12.5%	-31.4%
SP – Specific Plan	1,745	2,264	957	1,582	-45.2%	-30.1%
OS – Open Space	68,377	848	82,096 ¹⁴	1,026 ¹⁵		
TOTAL PRIVATE LANDS	192,359	27,929	202,711	24,607	+5.4%	-11.9%

Residents in most Mono County communities place a high priority on consistency and continuity, with particular emphasis on actions that will maintain and enhance the sense of community. Table 4.1-7 summarizes total acreage changes by land use designation countywide and Table 4.1-8 summarizes the designations for each community area, again comparing 2001 and proposed 2015 Land Use Element data, site specific changes are noted in the footnotes of both tables. As explained above, most of the changes shown are comparatively minor and a direct result of fine-tuning made possible with use of GIS and polygon analysis, as well as repeal of the Conway Ranch Specific Plan, General Plan Amendments approved since 2001, and refinements to planning area designations and boundaries.

TABLE 4.1-8: Land Use Designations by Community, Existing 2001 Land Use Element, and Proposed 2015 Land Use Element		
LAND USE DESIGNATION	2001 LUE Acreage	Proposed 2015 LUE Acreage (privately owned lands only)
ANTELOPE VALLEY		
AG - Agriculture	14,894	15,047
ER - Estate Residential	585	411
MU - Mixed Use	180	208
RM–Resource Management	540	467
RMH–Rural Mobile Home	65	69
RR–Rural Residential	1,511	1,859
RU – Rural Resort	11	30
SP – Specific Plan	260	248
BRIDGEPORT		
AG - Agriculture	24,823	24,270
C - Commercial	26	27
ER - Estate Residential	296	285
I – Industrial	0	3
IP – Industrial Park	21	22
MFR–Multifamily Residential	27	28
MU - Mixed Use	39	40
RM–Resource Management	854	399
RR–Rural Residential	36	35
RU – Rural Resort	124	119
SC–Service Commercial	2	1

¹⁴ The 2001 assessment Included the Mono Lake Visitor Center & OS areas of DWP, WRID, Sierra Pacific Power and SCE; the 2015 assessment includes all of these areas plus some of the acreage owned by CDFW and the Wildlife Conservation Board, plus lands below the Crowley, Bridgeport and Topaz reservations that was not included in 2001, plus the 548 acres that had been mischaracterized in 2001 as PF-public facilities (per footnote 4 above), plus the 417 acres that had been mischaracterized in 2001 as RE-resource extraction.

¹⁵ Of the 82,096 acres of lands designated as 'open space,' 61,721 are owned by LADWP; 4,302 are owned by Walker River Irrigation District, 946 are owned by Sierra Pacific Power, 1,336 are owned by SCE, and 2,200 are inside the Mammoth Lakes town boundaries. Both the 2001 and 2015 LUE allow for 1 residential unit per 80 acres of open space land, in part because LADWP infrastructure and ranching activities often include limited onsite employee housing; this assumption was also applied to the open space lands (CDFW, Wildlife Conservation and land below the reservoirs) that were added in 2015.

SFR –Single-Family Residential	199	129
SP – Specific Plan	167	83
BODIE HILLS		
AG - Agriculture	14,251	12,465
RM–Resource Management	0	513
RU – Rural Resort	155	145
HAMMIL		
AG - Agriculture	6134	6090
RM–Resource Management	355	519
RR–Rural Residential	411	352
MONO BASIN		
AG - Agriculture	255	293
C - Commercial	28	53
ER - Estate Residential	301	400
I – Industrial	18	5
PF–Public Facilities	37	2
RM–Resource Management	4807	10,440
RR–Rural Residential	301	318
SAA–Scenic Ag	0	3
SC–Service Commercial	3	4
SFR –Single-Family Residential	194	170
WHEELER CREST/PARADISE¹⁶		
ER - Estate Residential	953	849
RM–Resource Management	0	3
SFR –Single-Family Residential	NA	45
SP – Specific Plan	NA	85
OUTSIDE PLANNING AREA (includes Oasis, Sonora & --2001 only -- Paradise)		
AG - Agriculture	10,999	9,840
ER - Estate Residential	1367	1582
RM–Resource Management	21,683	13,347
SP – Specific Plan	132	49
MAMMOTH VICINITY (includes Upper Owens)		
AG - Agriculture	3084	3809
I – Industrial	36	33
RE–Resource Extraction	304	139
SP – Specific Plan	141	261
SWAUGER		
ER - Estate Residential	348	346
LONG VALLEY		
AG - Agriculture	3	3
C - Commercial	39	35
ER - Estate Residential	349	422
MFR–Multifamily Residential	13	4
MU - Mixed Use	37	33

¹⁶ Note that Paradise was counted as an outside planning area in 2001, and thus the 2001 land use designations for Paradise are reflected in the numbers shown for the Outside Planning Area in 2001.

PF–Public Facilities	34	3
RM–Resource Management	0	59
RR–Rural Residential	143	71
SC–Service Commercial	1	0.4
SFR –Single-Family Residential	339	338
CHALFANT		
AG - Agriculture	1136	1166
C - Commercial	1	1
ER - Estate Residential	109	151
RM–Resource Management	162	153
RMH–Rural Mobile Home ¹⁷	443	363
SC–Service Commercial	3	3
BENTON		
AG - Agriculture	3578	4194
C - Commercial	15	22
I – Industrial	40	40
MU - Mixed Use	110	10
PF–Public Facilities	45	1
RM–Resource Management	893	940
RR–Rural Residential	1799	1386
JUNE LAKE		
C - Commercial	26	19
CL –Commercial Lodging	41	44
ER - Estate Residential	9	8
MFR–Multifamily Residential	18	18
MU - Mixed Use	14	11
NHP–Natural Habitat Protection	31	40
SFR –Single-Family Residential	164	177
SP – Specific Plan	145	280

Conway Ranch Conservation Easement.¹⁸ Conway Ranch comprises approximately 811 acres just northwest of Mono Lake. The property contains numerous important habitat and historic values. In 1990, Mono County approved a Specific Plan for the site, with uses including a resort lodge and cabins, residential uses (single-family, townhouse and mini-lodges), recreation, open space, and infrastructure. During the early 1990s, lot sales were halted and (apart from seven homes) the development was never built. In 1995, The Trust for Public Land (TPL) acquired an option to purchase the property and thereafter approached Mono County about a potential transaction that would result in TPL exercising its option in order to sell the property to Mono County. The County was receptive to the concept, provided that funding could be acquired from grant sources. Mono County succeeded in obtaining grant funds, including an Environmental Enhancement and Mitigation Program grant from Caltrans. In general, the purposes of these grants were to protect and preserve the natural, open space, scenic, historic, habitat, and public access values of the property in perpetuity, while allowing for the continuation of the existing fish-rearing, grazing, and public access. In 1997 the TPL entered into an MOU with Mono County, followed by a Purchase and Sale Agreement, to effectuate such a transaction. By the end of 2000, TPL had conveyed approximately 808 acres to Mono County and 220 acres to the Bureau of Land Management in a complex, multi-phase real estate transaction that utilized federal, state, and foundation grant funding. The Caltrans grant imposed on Mono County certain use restrictions and also specified certain allowable uses. Fish rearing was among the uses that would be allowed on a restricted portion of the site. Over

¹⁷ The 2001 RMH designation included acreage for lands designated as MHS (Manufactured Housing Subdivision).

¹⁸ Eastern Sierra Land Trust, *Conway and Mattly Ranches Conservation Easement Baseline Documentation Report*, November 2014.

time, it became apparent that the fish-rearing uses were associated with economic and tourist benefits that warranted expanded operation.

In 2013, the County and Caltrans entered into a Memorandum of Understanding that allowed the County to repay a portion of the grant funds, thereby freeing approximately 75 acres of the property for additional uses. In turn, the County would grant a conservation easement to the Eastern Sierra Land Trust for the remainder of the property. In December 2014, the Conservation Easement for the Conway Ranch was executed. The goals of the Conservation Easement include:

- Ensure that the Property will be retained forever in its relatively natural, scenic, and open-space condition, and that the Conservation Values will be protected;
- Protect plant, wildlife species and habitat, such as wildlife migration corridor (mule deer, mountain lions) resident wildlife, songbirds and waterfowl, plant and butterfly species;
- Protect surface and groundwater resources and the wetlands, meadows, riparian habitats, and perennial freshwater springs that they support;
- Protect open space and scenic resources;
- Protect historic resources, including homestead, ranch buildings, corrals and Native American cultural resources;
- Allow for public access for compatible recreation and educational purposes; and
- Protect connectivity to other public and protected open-space properties.

The Conservation Easement also identifies the reserved rights of Mono County, including:

- Commercial fish rearing within the 75-acre designated Aquaculture Area;
- Commercial livestock grazing on the property, in accordance with the Management Plan, including maintenance of irrigation ditches and fences;
- Continued public access, recreation, and enjoyment; and
- All rights not specifically restricted by the conservation easement or the existing grant agreements.

Development rights include (subject to ESLT approval and CEQA documentation): a) expanded aquaculture operation and (with additional approval from Caltrans and State Parks as well as cooperation of state and federal wildlife agencies); b) a facility to aid in the recovery of endangered species with a focus on the Lahontan Cutthroat Trout; and c) public access infrastructure such as signage, picnic tables, a parking area and a pit-toilet facility. Prohibited uses would include subdivision; residential, commercial or industrial uses of the property except as specifically permitted in the Management Plan; uses that would impact historic resource, wetlands and riparian areas; oil, gas and mineral exploration of any kind; power generation, collection or transmission except for a small-scale solar facility for onsite use; billboards and advertising except as expressly allowed; and any sale or transfer of water rights.

The current Management Plan addresses a wide range of uses and activities on the site including: a) site management as a sustainable working landscape that is compatible with identified conservation values; b) public access, recreation, education and infrastructure; protection of historic resources; and c) on-site aquaculture and grazing as the only permissible nonprofit or County commercial uses of the site and subject to conservation values; construction, maintenance and repair of onsite roads and trail; communications between funders, lessees, licensees, easement holder and regulatory agencies; restoration; enhancement and study of natural resource; and property restoration at such time as aquaculture and grazing activities cease.

The Conway Ranch Conservation Easement has substantially reduced the potential for environmental impacts that would have occurred had the 1990 Specific Plan gone forward. Some 20 years after that private project was halted, the property is now publicly owned and poised to serve a range of conservation purposes that will protect natural resources on the site while allowing public access and supporting economic development through the aquaculture and grazing activities. At the level of detail provided in this *draft RTP/General Plan Update*, the Conway Ranch Conservation Easement project will have significant and long-term environmental benefits. A detailed analysis of environmental effects associated with the proposed development rights will be undertaken as part of the required CEQA review.

Summary. The land uses allowed under the proposed General Plan provide opportunities for cohesive new growth primarily in locations in or directly adjacent to existing community development boundaries, as guided by the RPACs in each community. None of the proposed changes would create physical divisions within the communities; developments would be subject to numerous plans, policies and actions (as reviewed in the section below) that require uses to complement the character of the existing community, provide connectivity between land uses, and support specific goals and policies identified in each community area. The proposed General Plan Land Use Element update does not propose to re-designate any open-space lands for development (in fact, lands in Conway Ranch that are currently designated for development would be re-designated as open space), nor does it allow for major new infrastructure projects that would divide existing neighborhoods and create potential for long-term land use divisions associated with growth. In summary, the changes proposed to the General Plan Land Use Element are largely the result of enhanced mapping tools, better characterization of uses, and changes proposed for Conway Ranch. In consideration of the information above, it is concluded that the proposed *General Plan Update* would pose a **less than significant risk** of physically dividing any existing Mono County community.

RTP/GENERAL PLAN POLICIES AND ACTIONS THAT MITIGATE POTENTIAL IMPACTS

Please refer to Table 4.1-9 in EIR Appendix D.

<p>IMPACT 4.1(b): Would implementation of the proposed RTP/General Plan Update conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>

State CEQA Guidelines §15125(d) requires that an EIR analyze the potential for inconsistencies between the project (in this case, implementation of the Draft *RTP/General Plan* and related planning initiatives) and other relevant plans, programs and regulations. The current Mono County General Plan update is comprehensive in scope. It addresses all seven of the mandatory General Plan elements, as well as a wide range of additional planning initiatives. Each is profiled below in terms of conformity to applicable plans, policies and regulations of agencies with jurisdiction.

Land Use Element. CGC §65300 requires each county to "adopt a comprehensive long-term general plan for the physical development of the county." The Mono County General Plan Land Use Element serves, along with other adopted General Plan elements, as a foundation for all land use decisions. The General Plan expresses the land use and development goals of the County as a whole, as well as the individual communities served by the County. All private subdivisions and public works projects must be consistent with the General Plan; if inconsistent, the General Plan must be amended. CGC §65455 requires that zoning, subdivision and public works projects must be consistent with the General Plan. Consistency means that the project will, in consideration of all its aspects, further (and not obstruct) the objectives and policies of the General Plan.¹⁹

Mono County in 2000 merged its Land Use Regulations (Zoning and Development Code) into the General Plan by developing a single set of land use designations to replace the earlier General Plan Land Use Designations and Zoning Districts. As part of the effort, Mono County incorporated four zoning designations into the General Plan: Rural Mobile Home (RMH); Service Commercial (CS); and Resource Extraction (RE); and Natural Habitat Protection (NHP). The General Plan-Municipal Code integration had three main goals: 1) reduce the confusion resulting from use of a two-tiered system; 2) signify the close relationship between the new implementing regulations and policies contained in the General Plan; and 3) recognize that proposals for changed land use designation occur infrequently in Mono County compared with many other jurisdictions. The action also enabled the County to ensure that zoning designations are consistent with General Plan designations, as required by

¹⁹ California Office of Planning and Research, *The Planner's Guide to Specific Plans*, http://ceres.ca.gov/planning/specific_plans/sp_parts.html

California planning law. Inconsistent zoning and General Plan designations are not uncommon. California law requires that the Zoning Code be revised to reflect the adopted General Plan within a “reasonable” period of time, which is typically one year. However, although there is no limit on State law pertaining to the frequency of zoning changes, state law does limit General Plan amendments to a maximum of four per year. As a result, many agencies experience conflicts between the Zoning Ordinance and General Plan. By merging the zoning with the General Plan, Mono County has signified that consistency is a primary goal and objective of its planning efforts. The County’s long-term planning and land use regulations will therefore be simultaneously updated upon approval of the proposed *RTP/General Plan* update project. No mitigating policies are required or proposed.

General Plans must be updated and kept current. Although there is no fixed interval for updates, the Office of Planning and Research (OPR) is required to notify a city or county when its general plan has not been revised within eight years and, if its general plan has not been updated within 10 years OPR must also notify the Attorney General. The notifications do not signify that the plan is necessarily out of date, but instead serve as a reminder to periodically review and update the general plan. The last update to the Mono County General Plan Land Use Element occurred in 2001, indicating that the current update is well within the timeframe for a comprehensive update (the Housing Element was updated during 2014).

Regional Transportation Plan (RTP). Recommendations contained in the *Draft 2015 RTP* focus on the maintenance of existing roads and highways, projects for expanded interregional and multi-modal circulation, pursuit of state highway projects as developed through Caltrans, and airport improvements consistent with adopted Capital Improvement Plans for the Bryant Field and Lee Vining airports and FAA requirements governing airport safety and airport land use compatibility. The LTC intends to regularly maintain the document so that it remains current. To this end, the Commission, the Town of Mammoth Lakes, and the local communities will continue to review and refine the information and directives in the RTP on an annual basis. Comments received during review of the current *Draft RTP* will be addressed as needed during plan maintenance, in accordance with state requirements, and the LTC has affirmed that the plan will be updated every four years as allowed by SB 375, with additional review every couple years as part of the RTP Improvement Program development and implementation. The RTP update process includes all component elements, including updates pertaining to state and local roads and highways, multimodal circulation, and airport planning, along with all required ancillary plans (including the airport master plans and land use plans).

Conservation and Open Space Element. The *Draft Conservation and Open Space Element* outlines policies for the conservation, development, and utilization of natural resources including water, forests, soils, rivers, lakes, fisheries, wildlife, minerals, and other natural resources. The proposed update to this Element would substantially increase the emphasis on conservation of groundwater and surface water resources. New goals and policies and actions are provided, all of which are intended to implement new regulations at the state level. It is intended that the Conservation/Open Space Element goals and policies will complement the County’s participation in the Sustainable Groundwater Management Act of 2014, as well as the Integrated Regional Water Management Plan, and the 2012 Bi-State Action Plan for Conservation of the Greater Sage Grouse Bi-State Distinct Population Segment. These efforts will work in concert to expand the range conservation activities and strengthen long-term sustainability, in full accordance with 2015 state requirements that respond to an ongoing severe drought.

Noise Element. *Mono County Code Chapter 10.16* requires that the county Noise Ordinance be reviewed annually and updated as needed. In the current Update, Mono County has conducted new noise measurements and noise exposure contours that were used to update and strengthen land use compatibility planning and noise mitigation requirements.

Integrated Waste Management Plan. Reduction of waste loads and hazardous waste loads are priorities of the state of California, and the State has made clear its emphasis on source reduction as the preferred method of waste management, since source reduction best protects public health and the environment and avoids the costs and liabilities associated with waste generation. These broad goals were first codified in the Integrated Waste Management Act of 1989, which established a requirement that 50% of solid wastes be diverted from municipal

landfills by 2000. According to the Environmental Protection Agency (EPA)²⁰, the 50% diversion rate has been achieved, and the State has now set a new goal of 75% recycling, composting or source reduction by the year 2020. Again, the emphasis is placed on recycling and recovery as the preferred means of decreasing reliance on landfills. The Mono County Integrated Waste Management Plan is intended to comply with these state and local initiatives. The Plan focuses on reduction of waste loads, tools to monitor landfill capacity, expansion of new nondisposal transfer facilities in accordance with siting criteria that emphasize minimum separation from incompatible uses and use of pre-disturbed lands, all in accordance with statewide policy emphasis on waste reduction and recycling. Two components of the IWMP are solely for planning purposes: The SRRE (which is updated annually and not part of the current project) is a menu of actions that may be taken to educate residents about the importance and need for waste load reduction; these could include such varied steps as fliers, early education, advertisements, labeling on trash containers, etc. The countywide Siting Element is a tracking tool that enables the County to ensure that waste facility planning efforts remain ahead of need. The remaining two components focus on providing the facilities needed to receive wastes: the HHWE is primarily addressed to non-disposal activities (collection, recycling and treatment), whereas the NDFE is primarily addressed to disposal. For the HHWE, Mono County has placed a high priority on ensuring that facilities are located in proximity to the main population centers (Mammoth and Bridgeport) in order to minimize transportation impacts and maximize opportunities for reuse. The County does not plan to propose specific facilities in the HHWE at this time; instead, the HHWE will describe the available options. Detailed proposals will be developed in separate planning studies, along with CEQA documentation as needed. The NDFE options will comprise a wider area of review. The Draft Siting Element incorporates countywide policy proposals that call for: a) development of engineered design plans for Pumice Valley and Walker Landfills utilizing disposal capacity within the existing waste footprint; and b) provision for Long Haul Transfer Infrastructure that would enable Mono County to send its wastes outside the county. Again, these decisions will not be part of the forthcoming IWMP, but instead will be examined in later planning studies, along with project-level CEQA documentation as required.

Biomass Utilization. The *Draft Biomass Utilization* study is a specific effort on the part of Mono County to explore the potential for utilization of sustainably-available, primarily local forest biomass (obtained through forest management and fuels treatment programs) as well as clean construction wood and yard debris, to generate power for use by public agencies. Results of the study prepared for Mono County indicate that biomass utilization in thermal applications may be feasible. The report cites several concerns, including a finding that the direct combustion of woody biomass in a thermal boiler system will result in the potential release of toxic air contaminants (e.g., volatile and semi-volatile organic compounds such as benzene, acrolein, and naphthalene). The report recommends working with Great Basin Unified Air Pollution Control District (GBUAPCD) to ensure that the project meets air quality standards and regulations, and to obtain applicable air quality permits for construction and operation.

Capital Improvement Plan. The *Draft Capital Improvement Plan* identifies operation and maintenance requirements and investment obligations of the County to ensure adequate funding reserves are available. Included in the County's Plan is a substantial investment in the replacement of the County's vehicle fleet with clean-air compliance vehicles. Among the single-largest planned County expenditures, this investment is a direct outgrowth of the California Air Resources Board's Rule for On-Road Heavy-Duty Diesel-Fueled Public and Utility Fleets. Intended to reduce criteria pollutant emissions and exposure to toxic air contaminants, the rule mandates Public Agency and utility vehicle owners to reduce diesel PM emissions from their affected vehicles through the application of Best Available Control Technology or BACT on these vehicles by specified implementation dates. The investment will also respond to State mandates requiring clean-air vehicles by 2028.

Parking Regulations Update. The parking standards study (adopted during 2014) implemented new guidelines and Central Business District Parking Standards to encourage commercial development, particularly infill and reuse of existing commercial buildings within historic central business districts. The new parking standards are designed to complement the Main Street Revitalization and Design Handbooks, both of which are based on guiding principles that include respect for the varying uses, underlying terrain and intrinsic values of each Mono

²⁰ EPA Region 9 website: <http://www.epa.gov/Regions/waste/features/calif-waste/index.html>.

County community. Additional underlying principals include promotion of multi-modal access, and building on the existing character and qualities of each community. The plans and policies in these documents will respond to the emerging state emphasis on traffic calming, as embodied in AB 1358 (the 'Complete Streets Act' of 2008²¹). The bill requires cities and counties to modify their Circulation Element, at the time of update, to plan for a *"balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan"*.

Scenic Byways Plan. California's Scenic Highway Program was created in 1963 to protect and enhance the natural scenic beauty of California highways and adjoining lands through special conservation treatment consistent with the requirements of the California Streets and Highways Code, Sections 260 through 263. Several scenic byways have been designated in Mono County, and the Scenic Byways Plan is designed to meet the high standards set by the legislature. The plan includes standards to screen visually offensive uses from scenic corridors, minimize earthwork and grading, ensure that lands are revegetated with materials that harmonize with the surrounding environment, use existing roads except where essential for health and safety, maintain clear limits on signage as well as the design and colors of developed uses, placement underground of utilities, and shielding of light sources.

Grading Regulations: Mono County Code §13.08.060 and 13.08.160 require the use of standard grading specifications in grading permits, and provide a streamlined permitting process to allow ministerial permit approval for complying projects. Policies are proposed in the *Draft Open Space and Conservation Element* to support use of Low Impact Development (LID) strategies that reduce impacts to watershed that are associated with development.

Countywide Trail Planning. This ambitious plan reflects Mono County's strong commitment to multimodal circulation, economic development and recreation. Although only in the very early stages of review, the effort proposes creation of an Eastern Sierra Regional Trail system with two separate trails (one focused on local communities and one on historic locations) that would extend over a continuous 350 mile north-south swath of County land. The Plan includes a Gateway Trail concept that would link Lee Vining to Yosemite National Park.

Resource Efficiency Plan. The *Resource Efficiency Plan* focuses on reducing GHG emissions and utilizing resources more efficiently to reduce operating costs for the County, and living costs for residents. This Plan will enable Mono County to comply with wide-ranging legislation in California (pursuant to AB 32) to meet specific GHG emission reduction targets established by the County.

Landownership Adjustment Report. This multi-agency effort addresses ways to maximize landownership adjustment opportunities in order to balance community needs, respect private property rights and land agency missions, and protect critical land and water resources. The project is an outgrowth of the Sierra Nevada Conservancy Grant Program, and designed to comply with requirements of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84). The effort has involved Mono County, Inyo County, BLM, LADWP, USFS, CDFW, a private citizen group (CAL-X) and the Sierra Business Council, and is being stewarded by the Mono County Collaborative Planning Team.

Integrated Regional Water Management Program. Participation in the comprehensive *Integrated Regional Water Management Program* is consistent with provisions of 2002 Proposition 50 (calling for measures to protect communities from drought, to safeguard and improve water quality, and to reduce dependence on imported water supplies) and 2006 Propositions 84 and 1E (which created additional funding for the integrated water management grant program to assist local agencies in meeting long-term water needs and policies of the State).

²¹ AB 1358, Ch. 657, filed September 30, 2008; obtained legislative counsel's digest: http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1351-1400/ab_1358_bill_20080930_chaptered.pdf.

Mono County Groundwater Sustainability Plan. The Mono County Groundwater Sustainability Planning effort is a direct outgrowth of the recently adopted 2014 Sustainable Groundwater Management Act (SGMA). SGMA empowered local agencies to adopt groundwater management plans that are specifically tailored to the resources and needs of their communities. In developing the Groundwater Sustainability Plans, Mono County will respond to varied state legislation and initiatives including Senate Bills 1168 and 1319, and Assembly Bill 1739.

Conway Ranch Specific Plan. The proposed repeal of the Conway Ranch Specific Plan will replace the former entitlements granted for this site (including a resort lodge and cabins, single-family, townhouse and mini-lodge residential uses, recreation, open space, and infrastructure) with an open-space designation, and the existing residential lots will be re-designated as single-family residential. The County has already approved a Conservation Easement to establish multiple site uses compatible with the intent to ensure that the property will be retained forever in its relatively natural, scenic, and open-space condition, and that conservation values will be protected.

Of the plans and programs above, only five (including the *General Plan Update*, the RTP, the Integrated Waste Management Plan, the Noise Ordinance and the Conway Ranch Specific Plan) will be subject to approvals as part of the current project. No formal approvals are required for the remaining plans and programs (including the Biomass Utilization Study, Capital Facilities and transportation improvements, the Scenic Byways Plan, Main Street Revitalization efforts, Community Characterization and Design Inventory, Countywide Trails Planning, the Resource Efficiency Plan, the Landownership Adjustment Report, the biological conservation policies, the watershed plans, the grading regulations, the Bicycle Transportation Plan and the Blueprint Plan). However, relevant information and policies from all of these plans and documents have been incorporated into the Draft *RTP/General Plan Update*, and the Landownership Adjustment Report has been included as an appendix to the General Plan.

All of the project elements are at a planning level of detail. Thus, no specific projects can be undertaken without further CEQA review, and most will also require regulatory and interagency approvals, design and engineering plans, permits and other discretionary actions prior to implementation. Many of the programs will have potential for a range of environmental effects during planning, construction, operation and/or maintenance phases, some of which may be significant, as discussed in other sections of this EIR.

At the program-level of analysis provided herein, however, the combined elements of this *Draft RTP/General Plan* update and related planning initiatives will serve to ensure that Mono County complies fully with applicable land use plans, policies and regulations of the many agencies with jurisdiction over Mono County resources. As is evident in reviewing the scope of activities outlined above, a central feature of the current effort is to more fully integrate the General Plan documents with each other, and with the policies of related plans and programs. In so doing, the County intends to achieve a more-thorough, integrated and effective set of General Plan goals, policies and actions. Outlined below are the *Draft RTP/General Plan* goals, policies and actions proposed to ensure continued compliance with applicable regulations of agencies with jurisdiction over the projects and resources addressed in this update. Impacts are **less than significant**.

RTP/GENERAL PLAN POLICIES AND ACTIONS THAT STRENGTHEN REGULATORY COMPLIANCE

Please refer to Table 4.1-9 in EIR Appendix D.
